



# The Commonwealth of Massachusetts

## Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

Dennis J. Duffin  
Director

January 7, 1986

AO-1986-03

Mr. Michael Ernst  
Senior Research Analyst  
Committee on Energy  
State House, Room 540  
Boston, MA 02133

Dear Mr. Ernst:

This opinion shall serve to replace an advisory opinion issued to you on June 25, 1985, cited as AO-85-09. After a careful reconsideration of the information presented in your advisory opinion request, we have elected to issue this opinion to you in place of that issued on June 25, 1985. Your specific inquiry is whether G.L. c. 55, the campaign finance law, would permit you to engage in the fundraising activities on behalf of the International Physicians for the Prevention of Nuclear War and Oxfam America.

You are the Senior Research Analyst for the Joint Legislative Committee on Energy. As such, you are a person "employed for compensation" by the commonwealth. Section 13 of chapter 55 provides that, "No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section shall not prevent such persons from being members of political organizations or committees."

Therefore, persons such as yourself may not, directly or indirectly, solicit or receive anything of value for the political campaign purpose of any candidate for public office or of any political committee, or for any political purpose whatever. [emphasis supplied] Since the organizations in question are clearly not candidates for public office, nor political committees as that term is used in c. 55, the issue presented is whether they are "political." In my opinion, the meaning of political purpose in Section 13 is not one of limitless application. Rather, the legislature did not intend that that phrase cover those interests and organizations which are just generally concerned with influencing public policy. There may, however, be circumstances where

Michael Ernst  
Page 2  
January 7, 1986

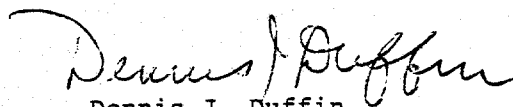
this general concern of an organization becomes "political," as that term is used in Section 13. For instance, this would certainly be the case if an issue with which an organization is concerned and devotes its resources is to become a question on an election ballot. At a given time, and under particular circumstances, fundraising on behalf of such an organization may be prohibited.

You have submitted materials which appear to describe the nature and activities of International Physicians for the Prevention of Nuclear War (IPPNW) and Oxfam America. According to its brochure, IPPNW is a "federation of national groups dedicated to mobilizing the influence of the medical profession against the threat of nuclear weapons." Most of its attention is focused on research and education, communicating with world leaders and enhancing public understanding of the medical aspects of nuclear war. Oxfam America is a "non-profit, international agency that funds self-help development projects and disaster relief in poor countries in Africa, Asia, and Latin America, and also prepares and distributes educational materials for Americans on issues of development and hunger."

In my opinion, the activities of these two organizations are not political, as that term is appropriately applied by Section 13, but are more humanitarian in nature. Therefore, the prohibition contained in Section 13 on your fundraising would not be applicable to these two organizations.

This opinion has been rendered solely on the basis of facts and materials presented by you. No independent investigation of these organizations has been conducted.

Very truly yours,

  
Dennis J. Duffin  
Director

DJD/rep